



1525 PINE STREET **FMND APPEAL HEARING**

Michael Li

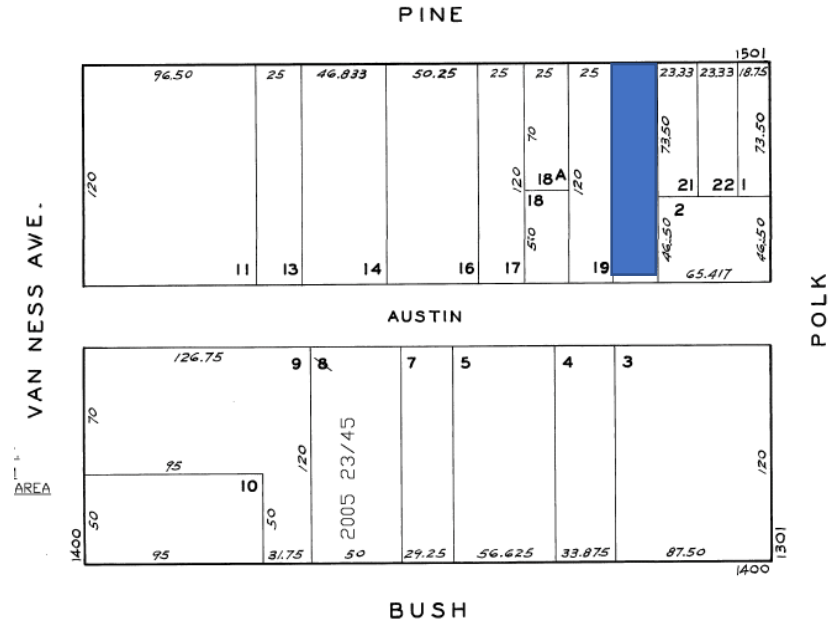
Senior Environmental Planner / October 5, 2021 / Board of Supervisors



San Francisco
Planning

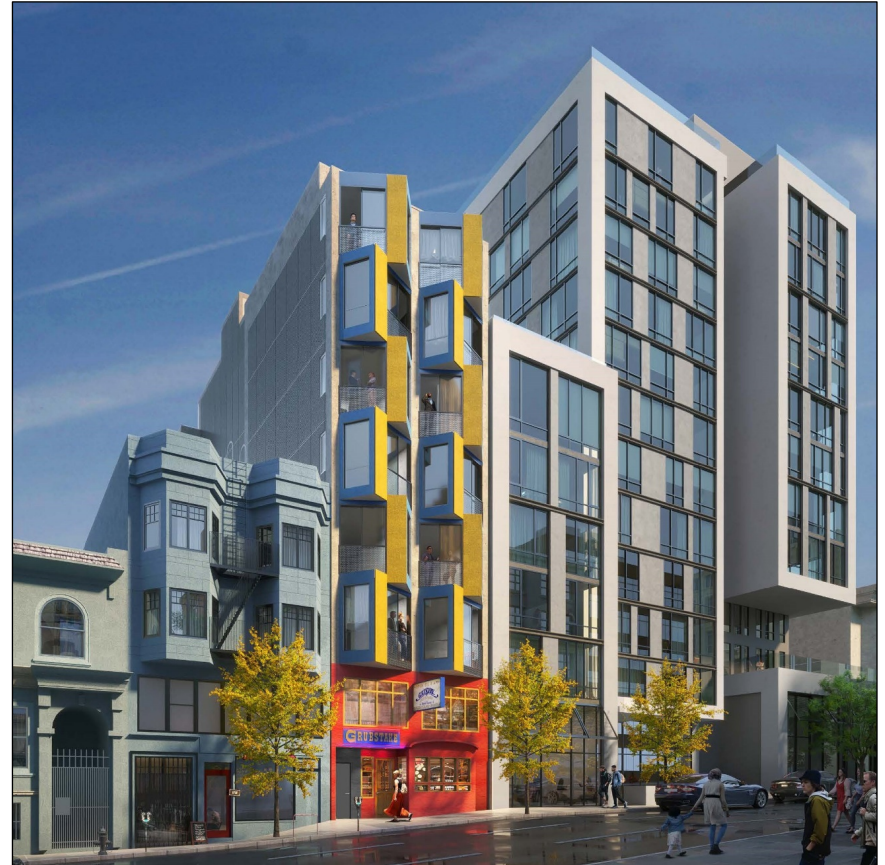
Project Site

- South side of Pine between Van Ness and Polk
- Through lot
- Occupied by one-story restaurant



Project Overview

- Demolition of one-story restaurant
- Construction of eight-story building
 - 21 dwelling units
 - 2,855 sf of commercial space



Procedural Background

- **Planning Department:**
 - Published PMND on 1/27/21
 - 20-day public review period
- **Appellant** filed appeal of PMND on 2/16/21
- **Planning Commission:**
 - Rejected appeal and upheld FMND on 5/6/21
 - Approved project's application for CUA/SDB on 7/22/21
- **Appellant** filed appeal of FMND on 8/20/21

Department's Response 1a – FMND adequately analyzed project's shadow impacts

- CEQA focuses on project's shadow impacts on publicly accessible spaces, not privately accessible spaces on private properties
- Shadow analysis is consistent with Department's methodology for analyzing shadow impacts
- No further analysis required under CEQA

Department's Response 1b – Project would not result in a significant shadow impact

- Mandatory finding of a significant impact required when a project will cause substantial adverse effects on human beings
- Government-adopted standards for human exposure to noise, air pollutants, or hazardous materials
 - No government-adopted standard for shadow
- In the absence of a standard, a lead agency has discretion to rely on its own significance criteria and methodologies

Department's Response 2 – FMND adequately analyzed project's impacts on historic resources

- Existing building
 - Not individually eligible historic resource but contributor to historic district
- District is the resource
 - Demolishing contributor would not result in significant impact on district
 - District would still retain character-defining features that make it historic resource
 - No significant impact, no mitigation measures



Department's Response 3 – FMND adequately analyzed project's cumulative transportation impacts

- Transportation analysis is consistent with 2019 TIA Guidelines
 - In-depth study not required
- FMND discusses how project would not combine with cumulative projects to:
 - create hazardous conditions
 - interfere with emergency access
 - substantially delay public transit
 - exceed VMT thresholds
- Conclusions are consistent with recently published CEQA documents

Department's Response 4 – FMND adequately analyzed project's wind impacts

- CEQA focuses on project's wind impacts on publicly accessible spaces, not privately accessible spaces on private properties
- Wind analysis is consistent with Department's methodology for analyzing wind impacts
- No further analysis required under CEQA

Conclusion

- FMND is the appropriate type of CEQA document
- EIR is not warranted
- Department requests that the Board reject appeal and uphold FMND

THANK YOU



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